

REMARKS

The foregoing amendment and remarks that follow are responsive to the Office Action mailed January 25, 2007. In that Office Action, the Examiner rejected Claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,117,162, filed by Seal et al. (hereinafter “SEAL”). In addition, Claim 10 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

I. Rejection Under 35 U.S.C. § 112

The Examiner rejected Claim 10 under § 112, second paragraph, claiming that the meaning of the limitation is unclear. Applicant has amended Claim 10 to more particularly point out and distinctly claim the subject matter of the invention.

II. Rejection Under 35 U.S.C. § 103(a)

Claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over SEAL. As will be described in more detail below, Applicant respectfully submits that it would not have been obvious to one having skill in the art to combine the teachings of SEAL with old and well-known methods to obtain Applicant’s invention.

a. *SEAL does not disclose a method comprising the step of an Originator creating a work request at a first remote computer terminal and transmitting it to a first level for approval.*

Applicant’s invention includes the step of an Originator creating a work request at a first remote computer terminal and transmitting it to a first level for approval. The Examiner claims that column 10, lines 16-34 and column 12, lines 10-47 of SEAL disclose this step. Applicant asserts that SEAL does not disclose the creation of a work request, nor does SEAL disclose submitting a work request at a first remote computer terminal, and finally, SEAL does not disclose the transmission of a work request for approval.

The Examiner contends that “a work request is created using the job entry application.” (Office Action, page 4). According to SEAL, a “job entry application is used to enter job details and to configure the job.” (SEAL, column 10, lines 16-17). As such, nothing is being requested. As understood, the job entry application organizes the tasks that need to be performed during a given job, and schedules the tasks accordingly. Consequently, nothing is being requested. When a job entry application is filled out, it is understood that the job will be completed; it is just a

matter of “when” and “how.” This is to be contrasted with the work request of Applicant’s invention. When a work request is submitted, it must be approved by a first level before it is determined “when” and “how” the work will be performed.

In addition, SEAL does not mention the job entry application being created and submitted at a first remote computer terminal. Indeed, there is no mention of a central computer and a plurality of remote computer workstations coupled thereto in SEAL. This is an important distinction between SEAL and Applicant’s invention, as one of the aims of Applicant’s invention is to provide real-time information while minimizing the amount of paperwork.

b. SEAL does not disclose a first level reviewing the work request and, if approved, ultimately being transmitted to a third level Group Lead for work assignment.

Applicant’s invention includes the steps of submitting a work request to a first level for approval. If approved by a first level, it is submitted to a second level for their approval. Upon approval by the second level, it is transmitted to a third level Group Lead for work assignment. In the most recent Office Action, the Examiner claims that the aforementioned steps are analogous to contractors submitting bids, and then reviewing and approving the bids. Once a bid is approved, it is understood that the contractor will perform the work.

As was mentioned above, the process of soliciting bids is different than Applicant’s invention. An important distinction between SEAL and Applicant’s invention is “acceptance” versus “approval.” In SEAL, bids are solicited, reviewed, and ultimately denied or accepted. In Applicant’s invention, work requests are submitted for approval. In this regard, the decision making body in SEAL begins the process, whereas an Originator begins the method in Applicant’s invention and the decision making body is involved subsequent to the submission of the Originator’s request.

c. SEAL does not disclose a third level Group Lead reviewing work performed by Facilitators, and transmitting approval to a fourth level if satisfactory.

According to Applicant’s invention, if a work request is approved, the work request is executed by a Facilitator(s). The work performed by the Facilitator(s) is reviewed by a third level Group Lead. If the work is approved by the Group Lead, it is transmitted to a fourth level Review Board for their approval. The Examiner submits that SEAL discloses such a method. In particular the Examiner points to column 13, lines 28-44 of SEAL, which describes the job entry application reviewing the contract details and determining whether there has been a change, addition, or deletion of the Contract Work Item.

The process of reviewing the contract details is different from reviewing the work performed by the Facilitator(s). As understood, when the contract details are reviewed, no work has been performed, whereas in Applicant's invention, the actual work and execution of the work request by the Facilitator is being reviewed.

d. SEAL does not disclose an Administrator providing alternate personnel for any unavailable personnel.

Applicant's invention includes 3 distinct levels of personnel, namely, Primary, Alternate, and Reviewer. This redundancy provides alternate personnel in the event someone is unavailable. SEAL discloses a scheduler that administers the scheduling of tasks and provides available personnel to complete the work. In this regard, SEAL dose not provide alternate personnel for unavailable personnel. Unavailable personnel implies that such personnel were scheduled at one time, and subsequently became unavailable. As understood, the process described in SEAL schedules available personnel to complete a task. However, SEAL does not discuss the possibility that one of the personnel that were available at the time of scheduling subsequently became unavailable. SEAL does not disclose alternate personnel that are ready to perform, should the scheduled personnel become unavailable.

e. It would not have been obvious to have multiple levels of review.

The Examiner concedes that SEAL "fails to teach 'a second level Review Board reviewing said work request', 'a fourth level Review Board reviewing work performed by Facilitator', and 'a fifth level reviewing work performed by Facilitator.' " (Office Action, page 5) However, the Examiner argues that "it is old and well-known in the art to have additional personnel (2nd, 4th, and 5th level review) to review service requests to ensure the service request is approvable and classified and routed properly." (Office Action, page 5) By this statement, it appears that the Examiner understands the multiple review levels in Applicant's invention serve as mere redundancy, to ensure things go as planned. However, it should be noted that each level of review performs a different, unique task. In particular, Level 1 personnel review the work request submitted by the Originator, and make changes to it, as necessary. Level 1 personnel also review the work request to determine whether it is in the scope of work approve or deny the work request draft. If approved by Level 1, Level 2 personnel review the work request to determine if the work request is within scope and budget. If approved, it is assigned to a Level 3 Group Lead. At this point the Group Lead assigns the work to an employee.

Upon completion of the work, the Group Lead reviews the work performed by the employee. Level 4 personnel review the work performed by the employee and determine whether it meets the original request. Level 5 personnel, including the Originator, review the work and submit the work request for closure upon their approval.

As the above discussion illustrates, each level performs a different and unique task and is not merely multi-leveled redundancy. Therefore, it would not have been obvious to one having skill in the art to have multiple levels of review.

III. Request for Allowance

In view of the foregoing, Applicants submit that upon entry of the amendments, the stated grounds of objection and rejection have been overcome and that Claims 1-20 are in condition for allowance. An early notice of allowance is therefore respectfully requested.

Should the Examiner have any suggestions for expediting allowance of the application, please contact Applicants' representative at the telephone number listed below.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: Feb 8, 2007 By:

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